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Post-Confirmation Debtors*

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

BH SUTTON MEZZ LLC, a Delaware Limited
Liability Company, and

Chapter 11

SUTTON 58 OWNER, LLC, a Delaware Limited
Liability Company,

Case No.: 16-10455 (SHL)
(Jointly Administered)

Post-Confirmation Debtors.

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FINAL DECREE AND ORDER CLOSING CHAPTER 11 CASES

Upon the application, dated September 9, 2021 (“Application”), Esther DuVal, the Wind-Down Officer (“WDO”) for Post-Confirmation Debtors BH Sutton Mezz LLC, a Delaware limited liability company (“Sutton Mezz”) and Sutton 58 Owner, LLC, also a Delaware limited liability company (“Sutton Owner DE” and, together with Sutton Mezz, the “Post-Confirmation Debtors”),¹ by her attorneys, Westerman Ball Ederer Miller Zucker & Sharfstein, LLP, for entry of a final decree and order closing the Post-Confirmation Debtors’ chapter 11 cases (the “Chapter 11 Cases”), pursuant to section 305(a) of Title 11 of the United States Code (the “Bankruptcy Code”), Rule 3022 of Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and Local Bankruptcy Rule 3022-1; and the Court having jurisdiction to consider the Application and

¹ Capitalized terms not otherwise defined herein shall have the meanings given to them in the Plan (defined below). Pursuant to the Confirmation Order (defined below), the Chapter 11 case of Sutton 58 Owner, LLC, a New York limited liability company, was dismissed as of the Effective Date.

grant the requested relief; and consideration of the Application being a core proceeding pursuant to 28 U.S.C. § 157(b), and venue being proper before this Court pursuant to 28 U.S. C. §§ 1408 and 1409; and the WDO having provided due and proper notice of the Application and no further notice being necessary, the Court finds and determines that the legal and factual bases set forth in the Application establish just and sufficient cause to grant the requested relief herein and that the requested relief is in the best interests of the Post-Confirmation Debtors' estates; and after due deliberation, it is hereby

ORDERED, that the Application is granted to the extent set forth herein; and it is further

ORDERED, that pursuant to Bankruptcy Code §350(a), Bankruptcy Rule 3022 and the Plan, the Chapter 11 Cases are hereby closed and, the WDO is discharged from all duties under Plan. The Clerk of the Court is directed to take all steps necessary to mark the Chapter 11 Cases as "closed;" and it is further

ORDERED, that within seven (7) days of entry of this Final Decree, the WDO shall provide the Office of the United States Trustee with all applicable disbursement information and pay all outstanding fees owed to the United States Trustee.

No Objection:

Office of the United States Trustee

By: /s/ Richard Morrissey, Esq.

Richard Morrissey, Esq.

Dated: New York, New York
October 8, 2021

/s/ Sean H. Lane

HONORABLE SEAN H. LANE
UNITED STATES BANKRUPTCY JUDGE